

LITE DEPALMA GREENBERG, LLC

Allyn Z. Lite
Michael E. Patunas
Mayra V. Tarantino
Two Gateway Center, 12th Floor
Newark, New Jersey 07102
Telephone: (973) 623-3000
Facsimile: (973) 877-3872
alite@litedepalma.com
mpatunas@litedepalma.com
mtarantino@litedepalma.com

*Attorneys for Defendants Hanmi USA, Inc.,
Hanmi Pharmaceutical Co., Ltd.,
Hanmi Fine Chemical Co., Ltd., and Hanmi
Holdings Co., Ltd.*

**IN THE UNITED STATES DISTRICT COURT
THE DISTRICT OF NEW JERSEY**

ASTRAZENECA AB, AKTIEBOLAGET
HÄSSLE, ASTRAZENECA LP, KBI INC.,
and KBI-E INC.,

Plaintiffs and
Counterclaim Defendants,

v.

HANMI USA, INC., HANMI
PHARMACEUTICAL CO., LTD., HANMI
FINE CHEMICAL CO., LTD, and HANMI
HOLDINGS CO., LTD.,

Defendants and
Counterclaim Plaintiffs.

Civil Action No. 11-00760 (JAP)(TJB)

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT NO. 5:
NON-INFRINGEMENT OF
UNASSERTED CLAIMS OF U.S.
PATENT NO. 5,714,504**

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that on Monday, November 7, 2011, at 10:00 a.m., or as soon thereafter as counsel may be heard, the undersigned attorneys for Defendants Hanmi USA, Inc., Hanmi Fine Chemical Co., Ltd., and Hanmi Holdings Co., Ltd. (collectively “Hanmi”) will move

before the Honorable Joel A. Pisano, U.S.D.J., at the United States District Court, Clarkson S. Fisher Federal Bldg. & U.S. Courthouse, 402 E. State Street, Trenton, New Jersey, for an order granting summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure that unasserted claims 8 and 9, and contingently asserted claims 3, 5 and 10, of U.S. Patent No. 5,714,504 are not infringed.

PLEASE TAKE FURTHER NOTICE that in support of this motion, Defendants will rely upon the Memorandum of Law, Local Rule 56.1 Statement of Undisputed Material Facts and Declaration of Renita S. Rathinam submitted herewith.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rule 7.1(e), a proposed form of order is also submitted.

PLEASE TAKE FURTHER NOTICE that pursuant to Local Civil Rule 78.1(b) oral argument is requested in the event opposition to this motion is submitted.

Dated: October 11, 2011

LITE DEPALMA GREENBERG, LLC

/s/ Mayra V. Tarantino
Allyn Z. Lite
Michael E. Patunas
Mayra V. Tarantino
Two Gateway Center, Suite 1201
Newark, New Jersey 07102
(973) 623-3000
alite@litedepalma.com
mpatunas@litedepalma.com
mtarantino@litedepalma.com

Mark Boland
Michael R. Dzwonczyk
Renita S. Rathinam
SUGHRUE MION, PLLC
2100 Pennsylvania Ave. NW
Washington, DC 20037
(202) 293-7060
mboland@sughrue.com
mdzwonczyk@sughrue.com
rrathinam@sughrue.com

John B. Scherling
SUGHRUE MION, PLLC
4250 Executive Square, Suite 900
La Jolla, California 92037
(858) 795.1180
jscherling@sughrue.com

*Attorneys for Defendants and
Counterclaim Plaintiffs*